

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-03 INR-07 L-02 ACDA-05

NSAE-00 PA-01 RSC-01 PRS-01 SP-02 USIA-06 TRSE-00

SAJ-01 SS-15 NSC-05 H-01 /063 W

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R 200851Z JAN 75

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 7604

SECDEF WASHDC

INFO JCS WASHDC

DIRNSA WASHDC

USMISSION NATO

CSAF/XOXX

OSAF/SAFUSI

CINCEUR

CINCUSAFE RAMSTEIN AB GERMANY

S E C R E T ANKARA 0506

E.O. 11652: XGDS-3 INDEFINITE

TAGS: MARR, TU

SUBJ: I.A. NEGOTIATIONS MEETING JANUARY 14, 1975: NATO/SOFA
EXTENSION

REF: (A) STATE 008002 (B) ANKARA 9641 DATED DEC 12, 1974

(C) ANKARA 9526 DATED DEC 9, 1974 (D) ANKARA 8896 DATED NOV
14, 1974

1. AT IA NEGOTIATION MEETING JANUARY 14, 1975, WE TABLED DRAFT
FOR EXCHANGE OF NOTES TERMINATING NATO/SOFA EXTENSION WITH
RETENTION ESSENTIAL PROVISIONS, AS PROPOSED REF B AND MODIFIED
BY REF A.

2. U.S. CHAIRMAN BEFORE TABLING DRAFT, REVIEWED USG POSITION
ON NATO/SOFA EXTENSION SET FORTH IN REF A, EMPHASIZING POINTS
SET FORTH IN PARAGRAPH 1 IN REF A AND NOTING THAT WE DID NOT WANT
AGREEMENT RECAST AS IA BUT PREFERRED IT TO BE REVIEWED IN
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ACCORDANCE WITH DCA ART XXII (4) AND RETAINED WITHOUT

MODIFICATION. AFTER TURKISH CHAIRMAN ASULA MADE VERY CLEAR THAT REVIEW OF EXTENSION FOLLOWED BY AGREEMENT TO RETAIN WITHOUT MODIFICATION WAS UNACCEPTABLE TO GOT. U.S. PRESENTED DRAFT.

3. TURKISH CHAIRMAN CONCURRED IN USG POSITION THAT EXTENSION IMPLEMENTED NATO/SOFA AND NOT DCA AND THEREFORE WAS NOT APPROPRIATE SUBJECT FOR IA FORMAT. HE AGREED TO STUDY U.S. DRAFT BUT IN "PRELIMINARY REMARKS" STRONGLY MAINTAINED THAT DCA ART IV(2) AND AGREED MINUTE THERETO GAVE GOT AUTHORITY TO ISSUE PROVISIONS OF THIS NATURE AS GOT CIRCULARS AFTER APPROPRIATE CONSULTATIONS WITH U.S. AUTHORITIES. HE EMPHASIZED THAT TURKS HAD NO INTENTION OF CHANGING EXISTING PRACTICES BUT CLAIMED THAT GOT FELT IT COULD NOT ACCEPT BILATERAL AGREEMENT COMMITMENT TO CONTINUE THESE PRACTICES INDEFINITELY. HE REITERATED PREVIOUSLY STATED POSITION THAT MOST EXTENSION PROVISIONS U.S. WISHED TO RETAIN WERE ALREADY COVERED IN DCA, BASIC NATO/SOFA OR NATO/SOFA IMPLEMENTATION AGREEMENT OF JUNE 23, 1954. ASULA AGAIN ATTACKED PROVISION FOR ORDER COUNTERSIGNATURE WAIVER AND TRIAL OBSERVERS (WITHOUT SUGGESTING THAT CURRENT PRACTICES SHOULD BE TERMINATED), BUT HIS ARGUMENTS WERE OBVIOUSLY EXTEMPORANEOUS, OFTEN BASED ON FACTUAL ERRORS AND EASILY REBUTTED. GARDNER ASKED ASULA NOT TO REJECT EXCHANGE OF NOTES OUT OF HAND, TO STUDY OUR TEXT CAREFULLY AND TO INFORM US WHAT PROVISIONS OF CURRENT EXTENSION AGREEMENT TURKS MIGHT ACCEPT IN EXCHANGE OF NOTES.

4. COMMENT: WE BELIEVE THAT TURKS ARE NOT REALLY BOTHERED BY INDIVIDUAL PROVISIONS OF OUR DRAFT, ALTHOUGH ASULA'S NEGOTIATING STYLE (HE RUNS THROUGH EVERY ARGUMENT AT HAND, DISCARDING LATER THOSE WHICH DO NOT HOLD WATER) OBSCURES THIS FACT. UNDERLYING TURK POSITION, WE BELIEVE, IS GENERAL CONCERN THAT THE NATO/SOFA EXTENSION INTRUDES INTO AREAS RIGHTLY LEFT FOR UNILATERAL GOT DECISION (AFTER APPROPRIATE CONSULTATIONS).
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, SOFA, NEGOTIATIONS, MILITARY POLICIES
Control Number: n/a
Copy: SINGLE
Draft Date: 20 JAN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975ANKARA00506
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X3
Errors: N/A
Film Number: D750020-1041
From: ANKARA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750138/aaaabhrk.tel
Line Count: 94
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: SECRET
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: n/a
Reference: 75 STATE 008002, 75 ANKARA 9641
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 23 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 APR 2003 by ElyME>; APPROVED <24 APR 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: I.A. NEGOTIATIONS MEETING JANUARY 14, 1975: NATO/SOFA EXTENSION
TAGS: MARR, TU, US, NATO
To: STATE DOD
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006